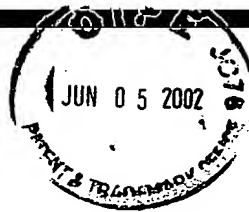


4292-0048-55



REC'D
JUN
TECH CENTER

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

DOUGLAS SMITH ET AL

: EXAMINER: SAUNDERS, D.A.

SERIAL NO. : 09/027,671

FILED: FEBRUARY 23, 1998

: GROUP ART UNIT: 1644

CPA FILED: SEPTEMBER 27, 2001

FOR: HUMAN LINEAGE COMMITTED CELL COMPOSITION WITH ENHANCED
PROLIFERATIVE POTENTIAL, BIOLOGICAL EFFECTOR FUNCTION, OR
BOTH; METHODS FOR OBTAINING SAME; AND THEIR USES

AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action dated December 5, 2001, Applicants respectfully
request reconsideration in light of the following amendments and remarks.

IN THE CLAIMS

Cancel Claims 15-32 and 46.

Please amend the claims as shown in the attached marked-up copy to read as follows:

38. (Amended) A method for obtaining lineage committed human cells with
enhanced biological function comprising culturing lineage committed human cells under
physiologically acceptable liquid culture conditions, said conditions including replacement of
a liquid culture medium at a rate and for a time sufficient to obtain human lineage committed
cells with enhanced biological function, wherein said enhanced biological function is relative